

1      *Parties Listed On Signature Page*

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**\*E-FILED - 10/14/08\***

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UNITED STATES DISTRICT COURT

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NORTHERN DISTRICT OF CALIFORNIA, SAN JOSE DIVISION

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11      RAMBUS INC.,

12                      Plaintiff,

13                      vs.

14      HYNIX SEMICONDUCTOR INC., et al.,

15                      Defendant.

CASE NO.: C 05-00334 RMW

**STIPULATION AND [PROPOSED]  
ORDER TO EXTEND THE DEADLINES  
FOR TEECE AND PROWSE  
DEPOSITIONS AND ANY RELATED  
DAUBERT BRIEFING**

Judge: Hon. Ronald M. Whyte

Courtroom: 6

17      RAMBUS INC.,

18                      Plaintiff,

19                      vs.

20      SAMSUNG ELECTRONICS CO., LTD.,  
21                      et al.,

22                      Defendant.

CASE NO.: C 05-02298 RMW

23      RAMBUS INC.,

24                      Plaintiff,

25                      vs.

26      MICRON TECHNOLOGY INC., et al,

27                      Defendants.

CASE NO. C-06-00244 RMW

1                   WHEREAS, the expert discovery cutoff was set for October 10, 2008 by Order  
2 dated July 16, 2008;

3                   WHEREAS, the Court's Order of July 16, 2008 provides that *Daubert* motions  
4 must be filed by October 17, 2008, with oppositions due by October 31, 2008, and replies due by  
5 November 7, 2008, and motions to be heard on November 21, 2008:

6                   WHEREAS, Rambus' expert Dr. Teece is not available for deposition on a  
7 mutually acceptable date until October 20 and 21, 2008;

8                   WHEREAS, Micron's expert Dr. Prowse is not available for deposition on a  
9 mutually acceptable date until October 22, 2008;

10                  WHEREAS, the parties have agreed that Dr. Teece's deposition may be taken on  
11 October 20 and 21, 2008<sup>1</sup> if the Manufacturers can file any *Daubert* motion related to Dr. Teece's  
12 testimony or expert report on or before October 27, 2008;

13                  WHEREAS, the parties have agreed that Dr. Prowse's deposition may be taken on  
14 October 22, 2008, if Rambus can file any *Daubert* motion related to Dr. Prowse's testimony or  
15 expert report on or before October 27, 2008;

16                  WHEREAS, the parties have agreed to a corresponding extension of the filing  
17 dates for the opposition and reply to any such *Daubert* motion(s);

18                  WHEREAS, the parties agree that this extension will not impact the January 19,  
19 2009 trial date;

20                  WHEREAS, the parties have agreed to the following briefing schedule for any  
21 *Daubert* motion related to Dr. Teece or Dr. Prowse;

22                  **NOW, THEREFORE, IT IS ORDERED THAT**

23                  The close of expert discovery in the above-caption actions shall be extended to

24  
25                  <sup>1</sup> If after the conclusion of the second day of Dr. Teece's deposition the Manufacturers believe  
26 that they require additional time to depose Dr. Teece, the parties will meet and confer in good  
27 faith regarding such additional time. If the parties are unable to reach an agreement, the  
28 Manufacturers reserve the right to move to compel additional time to depose Dr. Teece. Rambus  
will waive objections to a motion to compel further deposition time with Dr. Teece based solely  
on it being filed outside the deadline set by L.R. 26-2 (but do not waive objections on any other  
grounds), so long as the motion is filed on or before October 27, 2008.

1 accommodate the agreement of counsel regarding Dr. Teece's and Dr. Prowse's depositions set  
2 forth above;

3 The parties shall file any *Daubert* motion relating to Dr. Teece's or Dr. Prowse's  
4 testimony or expert report on or before October 27, 2008;

5 The parties shall file their oppositions to any such motions on or before November  
6 10, 2008;

7 The parties will file their replies on or before November 17, 2008.

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9 SO ORDERED:

10 DATED: 10/10/08

Ronald M. Whyte

11 The Honorable Ronald M. Whyte  
12 District Judge

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1 DATED: October 7, 2008

MUNGER, TOLLES & OLSON LLP  
SIDLEY AUSTIN LLP  
McKOOL SMITH P.C.

4 By: /s/  
5 JENNIFER L. POLSE

6 Attorneys for RAMBUS INC.

7 DATED: October 7, 2008

8 THEODORE BROWN III  
TOWNSEND and TOWNSEND and CREW,  
LLP

9 By /s/  
10 THEODORE BROWN III

11 Attorneys for HYNIX SEMICONDUCTOR  
12 INC., HYNIX SEMICONDUCTOR  
13 AMERICA INC., HYNIX  
14 SEMICONDUCTOR MANUFACTURING  
15 AMERICA INC., HYNIX  
16 SEMICONDUCTOR U.K. LTD., and HYNIX  
17 SEMICONDUCTOR DEUTSCHLAND  
18 GmbH

19 DATED: October 7, 2008

20 SVEN RAZ  
WEIL, GOTSHAL & MANGES LLP

21 By: /s/  
22 SVEN RAZ

23 Attorneys for MICRON TECHNOLOGY  
24 INC., et. al.

25 DATED: October 7, 2008

26 STEVEN S. CHERENSKY  
WEIL, GOTSHAL & MANGES LLP

27 By: /s/  
28 STEVEN S. CHERENSKY

29 Attorneys for SAMSUNG ELECTRONICS  
30 CO., LTD., SAMSUNG ELECTRONICS  
31 AMERICA, INC., SAMSUNG  
32 SEMICONDUCTOR, INC., AND SAMSUNG  
33 AUSTIN SEMICONDUCTOR, L.P.

1 DATED: October 7, 2008

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VICKIE FEEMAN  
ORRICK HERRINGTON & SUTCLIFFE  
LLP

By: /s/

VICKIE FEEMAN

Attorneys for NANYA TECHNOLOGY  
CORPORATION and NANYA  
TECHNOLOGY CORPORATION U.S.A.

**Filer's Attestation**

I, Sven Raz, am the ECF user whose identification and password are being used to file this  
**STIPULATION AND [PROPOSED] ORDER TO EXTEND THE DEADLINES FOR THE  
TEECE AND PROWSE DEPOSITIONS AND ANY RELATED DAUBERT BRIEFING.** In  
compliance with General Order 45.X.B, I hereby attest that Jennifer Polse, Theodore Brown,  
Anne Cappella and Theresa E. Norton concur in this filing.

By: \_\_\_\_\_ /s/  
Sven Raz